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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.7950 OF 2006

Shri Pundalik Gaikwad ..Petitioner

Vs.

Shetkari Shikshan Prasarak Mandal & Ors. ..Respondents

Mr. Sandesh D. Patil, for the Petitioner.
Mr. R.S. Apte with Mr. N.R. Bubna for respondent No.1.
Mr. V.P. Malwankar, AGP for Respondent No.2

CORAM : F.I. REBELLO & R.M.SAVANT, JJ.
DATED : 20TH MARCH, 2007.

P.C.

. The petitioner has approached this Court to challenge the disciplinary proceedings initiated against him. It is the case of the petitioner that earlier his services were terminated which came to be set aside on 12th July, 2000 on the ground that no proper enquiry was held. Thereafter his services came to be terminated again which was set aside on 13th June, 2003. The respondents are now seeking to hold third enquiry.

2. We have perused the concerned record. We find that the earlier orders were set aside as either proper enquiry was not held or it was in violation of the statutory Rules, Regulations and principles of natural justice and fair play. In these circumstances it cannot be said that holding of the enquiry afresh is contrary to the provisions of the Act or

Rules. Apart from that learned Counsel for the respondents points out that enquiry has been proceeded with and it is at its fag end. Considering that no case made out for interference in the exercise of our extra ordinary jurisdiction.

3. Learned Counsel for the petitioner then states that he has not been paid his salary. If that be so it will be open to the petitioner to make his grievance before the Education Officer/Deputy Director of Education and if such a representation is made the Education Officer/Deputy Director of Education to dispose it of within eight weeks on the receipt of such representation. With the above observation petition stands disposed of.

(**F.I.REBELLO**, J)

(**R.M.SAVANT,J**.)